

Message Text

CONFIDENTIAL

PAGE 01 VIENNA 04835 01 OF 02 270226Z
ACTION IO-14

INFO OCT-01 AF-10 EUR-12 ISO-00 ACDA-12 CIAE-00 INR-10
L-03 NSAE-00 EB-08 NRC-05 OES-07 SOE-02 DODE-00
SS-15 SP-02 CEQ-01 ARA-10 EA-10 NEA-11 OIC-02
INRE-00 NSCE-00 SSO-00 PM-05 /140 W
-----002523 270233Z /73/50

O 261733Z MAY 78
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 6548
AMCONSUL CAPE TOWN IMMEDIATE
INFO AMEMBASSY PRETORIA IMMEDIATE
USMISSION USUN NEW YORK IMMEDIATE
USDOEHQ WASHDC IMMEDIATE
USDOEHQ GERMANTOWN IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 02 VIENNA 04835

USIAEA

DEPT PASS IO/SCT
DOE PASS AMMONS, IA

C O R R E C T E D C O P Y (GARBLES THROUGHOUT)

E.O. 11652: GDS
TAGS: AORG, IAEA
SUBJECT: IAEA: JUNE BOARD OF GOVERNORS - DESIGNATION ISSUE
REFERENCE: STATE 133369

1. SUMMARY. MISSION HAS TWO SUGGESTIONS ON EXCELLENT
DRAFT STATEMENT ON DESIGNATION QUESTION AT JUNE BOARD.
INITIAL LIMITED CONSULTATIONS REVEAL LITTLE SUPPORT
FOR MAKING ISSUE OF DESIGNATED SEAT FOR AFRICA. END
SUMMARY.

2. WE THINK STATEMENT PARA. 2 REFTEL IS EXCELLENT.
CONFIDENTIAL

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PAGE 02 VIENNA 04835 01 OF 02 270226Z

WE WOULD, HOWEVER, SUGGEST FOLLOWING ADDITIONAL SENTENCE
AFTER QUOTATION FROM STATUTE IN FIRST PARA. OF DRAFT
STATEMENT, "IT SHOULD BE STRESSED THAT MEMBERS SO
DESIGNATED DO NOT RPT NOT SPEAK FOR, ACT ON BEHALF OF,
OR REPRESENT OTHER MEMBER STATES IN THEIR RESPECTIVE
AREAS." A PRINCIPAL G-77 ARGUMENT LAST YEAR WAS THAT
SOUTH AFRICA COULD NOT RPT NOT "REPRESENT AFRICA."

THIS SENTENCE IS DESIGNED TO MEET THAT POINT.

3. WE WOULD ALSO SUGGEST DEPARTMENT CONSIDER AMENDING FINAL SENTENCE OF FIRST PARA. TO READ "FOR THOSE REASONS, THE USG BELIEVES THE BOARD HAS NO RPT NO CHOICE UNDER THE STATUTE BUT TO DESIGNATE SOUTH AFRICA TO THIS SEAT," THOUGH WE RECOGNIZE DEPARTMENT IS BETTER JUDGE OF MERITS OF DROPPING THE WORD "FAVORS" THAN WE ARE.

4. DEPARTMENT IS CORRECT THAT US DID NOT RPT NOT RESERVE ITS POSITION CONCERNING VALIDITY OF EGYPT'S VOTE AT JUNE 77 BOARD. WE HAVE DISCUSSED LEGAL IMPLICATIONS OF TAKING--OR NOT RPT NOT TAKING--SUCH ACTION WITH IAEA LEGAL ADVISOR (UK NATIONAL WHO WAS IN FOREIGN OFFICE DURING JUNE 77 BOARD AND PARTICIPATED IN FORMULATING BRITISH INSTRUCTIONS ON THAT OCCASION). IT IS HIS JUDGMENT THAT SUCH A RESERVATION IS NOT RPT NOT LEGALLY REQUIRED. HE POINTS OUT, HOWEVER, THAT IT WOULD SOMEWHAT STRENGTHEN US CASE IN THAT IT WOULD BE A FURTHER INDICATION THAT US HAS EXHAUSTED ALL ADMINISTRATIVE REMEDIES BEFORE ENTERING A LEGAL CHALLENGE TO A FUTURE BOARD VOTE. WE FEEL THERE IS MERIT TO THIS POINT, ALTHOUGH WE (AND AGENCY LEGAL ADVISOR) RECOGNIZE THAT THERE ARE POLITICAL COMPLICATIONS IN SEEMING TO SPEAK AGAINST EGYPT (OR NIGER).

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PAGE 03 VIENNA 04835 01 OF 02 270226Z

5. EDWARDS DID SAY HE FELT IT ESSENTIAL TO SUBSTANTIATE ANY FUTURE LEGAL CHALLENGE THAT A VOTE BE TAKEN ON DESIGNATION QUESTION.

6. OUR INITIAL CONSULTATIONS WITH OTHER MISSIONS WHO VOTED FOR SOUTH AFRICA LAST YEAR REVEAL THAT VERY FEW HAVE INSTRUCTIONS; REFLECT CONTINUING BELIEF THAT SOUTH AFRICA SHOULD HOLD THE DESIGNATED SEAT; AND ATTEST TO MARKED RELUCTANCE TO ADDRESS THIS ISSUE AGAIN IN THE BOARD.

7. THIS POSITION PUT MOST EMPHATICALLY BY AUSTRALIAN RESREP (WHO DOES HAVE INSTRUCTIONS). HE REAFFIRMED AUSTRALIAN BELIEF SOUTH AFRICA SHOULD BE ON BOARD BUT SAID AUSTRALIAN DELEGATION AND CANBERRA SAW LITTLE PURPOSE IN DISCUSSION OF THIS ISSUE. IT HAS BEEN DECIDED. IT WOULD BE FIGHTING A LOSING BATTLE. IT WOULD DRAW ATTENTION AGAIN TO A POLITICAL ISSUE WITHIN THE BOARD. HE SAID THIS REPRESENTED "PRETTY FIRM" AUSTRALIAN VIEWS BUT NOTED THAT IF OTHERS SAY THEY INTEND TO RAISE ISSUE AND/OR CALL FOR VOTE, HE WOULD HAVE TO ASK CANBERRA FOR INSTRUCTIONS.

8. CANADIANS, WHO ALSO HAVE INSTRUCTIONS, SEE NO NEED TO CHALLENGE DESIGNATION OF STATE OTHER THAN SOUTH AFRICA. THEY WILL NOT RPT NOT MAKE STATEMENT OR SEEK VOTE. IF VOTE CALLED BY OTHERS, THEY WILL VOTE AGAINST LIST WHICH FAILS TO CONTAIN SOUTH AFRICA. THEY WILL NOT RPT NOT MAKE STATEMENT IN EXPLANATION OF VOTE UNLESS OTHERS DO SO.

9. JAPANESE STATED, WITHOUT INSTRUCTIONS, THAT DELEGATION POSITION REMAINED THE SAME AS LAST YEAR (VOTING AGAINST REMOVAL OF SOUTH AFRICA BUT ABSTAINING ON ENTIRE LIST, WHICH INCLUDED JAPAN AS WELL AS EGYPT). THEY WOULD NOT RPT NOT THEMSELVES TAKE LEAD IN RAISING THE QUESTION, BUT WERE SEEKING INSTRUCTIONS FROM TOKYO
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PAGE 04 VIENNA 04835 01 OF 02 270226Z

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PAGE 01 VIENNA 04835 02 OF 02 261751Z
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C O N F I D E N T I A L SECTION 02 OF 02 VIENNA 04835

AS TO HOW TO REACT IF OTHERS DO SO.

10. WE HAVE BEEN UNABLE--DUE AUSTRIAN HOLIDAY AND MARATHON UNIDO WIND-UP MEETING CURRENTLY IN PROGRESS--

TO GET VIEWS OF SUCH IMPORTANT MISSIONS AS UK, FRANCE
AND BELGIUM. WEO STATES HAVE PRE-BOARD CONSULTATIONS
MAY 30.

11. IN LIGHT OF POSITION CANADA AND AUSTRALIA WILL
BE CONVEYING UNDER INSTRUCTION AT WEO MEETING, IT
WOULD BE IMPORTANT, IN ORDER PREVENT COALESCENCE
AROUND THEIR VIEW, FOR DEPARTMENT TO AUTHORIZE US
TO STATE THAT IT IS PRESENT US INTENTION TO REITERATE
OUR JUNE 1977 POSITION, WITH QUESTION OF CALLING FOR
A VOTE UNDER CONSIDERATION. KIRK

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